

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA)
)
vs.) Mag's No. 1:11-mj-254
)
LEON MCKINNEY) *Lee*

MEMORANDUM AND ORDER

In accordance with the Federal Rules of Criminal Procedure and the Bail Reform Act, the initial appearance was held in this action on October 29, 2011 at the Hamilton County jail. Those present included:

- (1) AUSA Chris Poole for the United States of America.
- (2) Leon McKinney ("Defendant").
- (3) Officer Phillip Narramore.

The proceedings were recorded. Upon being sworn Defendant was informed or reminded of his privilege against self-incrimination accorded under the 5th Amendment to the United States Constitution. Defendant did not have counsel present. He was advised of the right to counsel and advised of the circumstances that would entitle him to appointment of counsel.

Defendant acknowledged he had received a copy of the criminal complaint and arrest warrant. It was determined he was capable of being able to read the documents and to understand the proceedings. The charges were explained to Defendant and he was advised of his right to have a detention hearing and preliminary examination and his right to have counsel at such hearings. The AUSA moved the Court to temporarily detain Defendant without bail pending a detention hearing and requested time to prepare for any detention hearing.

Having considered the sworn Affidavit and Complaint, the undersigned finds:

- (1) There is probable cause to believe violation(s) of federal law have occurred in the Eastern District of Tennessee.
- (2) There is probable cause to believe the defendant committed the aforesaid violation(s).
- (3) Defendant, if released, may flee or pose a danger to another person or the community.

It is **ORDERED**:

- (1) The government's motion to temporarily detain Defendant without bail is **GRANTED** and Defendant shall be **DETAINED WITHOUT BAIL** pending a detention hearing and/or preliminary hearing in this case.
- (2) Defendant's next appearance shall be before a magistrate judge in the United States Courthouse at 900 Georgia Avenue in Chattanooga, Tennessee at **October 31, 2011 at 2:00 p.m.**

ENTER.

s/ Susan K. Lee

SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE